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Paper No. 10

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JUN 25 2003

OFFICE OF PETITIONS

In re Application of  
Karl Rogers et al.  
Application No. 09/816,306  
Filed: March 23, 2001  
Attorney Docket No. 2585-009

DECISION ACCORDING STATUS  
UNDER 37 CFR 1.47(b)

This is in response to the renewed petition filed under 37 CFR 1.47(b) on June 13, 2003.

The petition is granted.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the declaration of the attorney of record, Jon L. Roberts establishes that a copy of the application was sent to the non-signing inventors. However, while the application papers were received, the inventors have not returned an executed declaration. In addition, petitioners have shown that assignee Road Runner Inc., has a proprietary interest in the above-identified application by presenting proof of the assignment recorded September 9, 2000 (Reel/Frame 011113/0766). Petitioner has submitted a declaration in compliance with 37 CFR 1.63, 1.64, and 1.175 and has demonstrated that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries related to this decision should be directed to the undersigned Petitions Attorney at (703) 305-4497

Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions



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Paper 11

KARL ROGERS  
620 9TH STREET  
MANHATTAN BEACH, CA 90266

TIM EVARD  
C/O HARRY EVARD  
3316 69TH STREET  
INDIANAPOLIS, IN 46220

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JUN 25 2003

OFFICE OF PETITIONS

In re Application of  
Karl Rogers et al.  
Application No. 09/816,306  
Filed: March 23, 2001  
Attorney Docket No. 2585-009  
For: SYSTEM AND METHOD FOR  
INTEGRATION OF HIGH QUALITY  
VIDEO MULTI-CASTING SERVICE  
WITH AN  
INTERACTIVE COMMUNICATION AND  
INFORMATION ENVIRONMENT USING  
INTERNET PROTOCOLS

LETTER

Dear Mr. Rogers and Mr. Evard:

You are named as joint inventors in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as joint inventors.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Telephone inquiries regarding this communication should be directed to the undersigned Petitions Attorney at (703) 305-4497.

Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions

cc:

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